IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 4796 OF 2007

Sheetal Ravi Pittie .... Petitioner

versus

Ravi Pittie ..... Respondent.

Shri Ashwin Vaishya i/b. H.V.Kode for the petitioner

CORAM; A.P. DESHPANDE, J.
DATED; 2ND JULY, 2007

P.C.;

1. The present writ petition has been filed by the wife who has separated from the respondent husband and is staying with her parents. The child by name Rea, born out of the marital wedlock is aged about six years. The parents have secured an admission in St. Mary School, Pune for the child. The present petitioner has also sought admission of the child in Bhojwani School, Pune. The respondent moved an application seeking direction against the present petitioner/mother to send the child at St. Mery school, Pune. The said application has been allowed by the Family court after recording a finding that admission of the child to St. Mery School, which is a convent school, was a joint decision of the petitioner and the respondent. The Family court has further

recorded a finding that it is undisputed that St. Mary School is one of the best school in pune and the child was selected after undergoing a process of selection wherein 2000 students have participated and only 40 students came to be selected. Thus the child appears to be a bright candidate. The present petitioner opposed the application but did not dispute the fact that St. Mery school, Pune is one of the best school. However,the petitioner has tried to contend that the child may not be in a position to cope up with the educational standard of St. Mery School, the standard being very high. The Family court has found that there is absolutely nothing on record to justify such an assumption and thus allowing the application, has directed the petitioner to send the child to St.Mery School, Pune.

2. Perused the order. The order has been passed keeping in mind the welfare of the child which has to be a paramount consideration. In this view of the matter I decline to interfere with the interlocutory order passed by the Family court. Writ petition is thus summarily dismissed.

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